

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff,

vs.

RAMON ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM  
Section 5: Rio Gallina

**Subfile No. CHGA-002-0006A**

**MOTION TO VACATE CONSENT ORDER**

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer and moves the Court to vacate the Consent Order filed October 29, 2001 (Doc. No. 6391) in connection with defendant Henry L. Jacquez and subfile CHGA-002-0006A, and as grounds states as follows:

1. The Consent Order filed October 29, 2001 in subfile CHGA-002-0006A does not correctly describe or map the location of the “no right” tracts in Section 11, Township 23 North, Range 1 East.
2. The Consent Order filed October 29, 2001 in subfile CHGA-002-0006A should be vacated.
3. Defendant Jacquez has signed and approved a revised Consent Order to be filed with the Court that corrects the errors described in paragraph one above.
4. Defendant Jacquez supports the granting of this motion.

WHEREFORE, the Plaintiff State of New Mexico requests the Court to vacate the Consent Order filed October 29, 2001 (Doc. No. 6391) in connection with defendant Henry L. Jacquez and

subfile CHGA-002-0006A.

Respectfully submitted,

/electronic signature/  
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### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above Motion to Vacate Consent Order was mailed to following persons on August 26, 2004.

/electronic signature/  
Edward G. Newville

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